

REMARKS

Claims 1-12 and 14-18 are pending in the application. Claim 13 has been cancelled.

Claims 1-12 and 15-18 are rejected under 35 U.S.C. §102(e) as being anticipated by Frankland et al. (US 2002/0026339 A1). Claims 13 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Frankland in view of Fasca (US 2002/0065581 A1).

As described in the Office Action dated April 12, 2005, the Examiner did not give patentable weight to the functional language recited in the claims. Applicants' representative discussed this issue with the Examiner during an interview on June 30, 2005. The Examiner agreed that, if Applicants amended the claim language as described below, he would evaluate the patentability of the claims, including the functional language.

Applicants' representative agreed to amend the claims to recite "configured to" instead of "that." For example, claim 1 is amended to recite "a server configured to set:" at line 10. Similar amendments are made for analogous portions of the claims. The Examiner agreed that these changes in the claim language will tie the functional language to the structural features of the claims in a manner sufficient for the Examiner to accord patentable weight to the functional language.

Additional claim amendments are made herein to improve the grammatical structure of the claim language.

Applicants submit that claim 1 and its dependent claims 2-5 and 15-18 are allowable over the prior art due to the unique configuration of the server, as claimed in claim 1, which the prior art fails to teach or suggest.

Also, Applicants submit that the prior art fails to teach or suggest the features of dependent claim 15. In the Office Action, the Examiner asserts that paragraphs [0034] and [0421] of Frankland disclose the features of claim 15. Applicants respectfully disagree. According to claim 15, the equipments used in a certain process consist of a combination of a plurality of equipments; and the environmental performance information and/or the investment effectiveness information are based on the combination of the plurality of equipments. Paragraph [0034] of Frankland gives a general description of the invention, which “monitors, responds to, and incorporates changes in, federal, state and local laws, statutes, ordinances and regulations (referred to collectively herein as “regulations”) and changes in technology in one or more regulated areas of commercial activity, such as environmental health and safety (EH&S), and food, drugs, cosmetics, medical devices and treatments (“FDCMTD”).” Paragraph [0421] describes the implementation of a Regulatory Requirements section for managing EH&S compliance. However, neither of these paragraphs disclose the features of claim 15.

In the Office Action, the Examiner notes that he understands the term “equipment” as encompassing plural items used in an operation or activity. However, the Examiner appears to have overlooked the meaning of the term “equipment” as used in the present application. In the last paragraph on page 5

of the present specification, for example, equipment is described as equipment “into which the materials that contain those chemical substances are input.” Examples of this equipment are given in the same paragraph, i.e., combustion equipment, painting equipment, metal plating equipment, and storage equipment. In view of the disclosures of the present specification, Applicants submit that the Examiner’s reliance on paragraphs [0034] and [0421] is misplaced. Thus, claim 15 and analogous claim 16 are separately patentable over the prior art.

Applicants submit that claims 6, 7, and 8 are patentable based on the limitations of these claims, which were not previously examined due to the Examiner not according patentable weight to these limitations. For example, the prior art fails to teach or suggest a system configured to output information related to an enterpriser that performs a certain process, as recited in claim 6. Based on the present amendments, the Examiner should accord patentable weight to this and analogous limitations of claims 6-8.

For claim 9, Applicants submit that the prior art fails to teach or suggest the server claimed in claim 9. Specifically, the server is configured to set information related to the release rates based on the equipment-specific release rate information that is provided by the enterprisers that manufacture equipments which are used in the certain process. Neither of the cited references discloses a server configured in this manner. Thus, claim 9 and its dependent claims 10 and 11 are submitted to be patentable over the prior art.

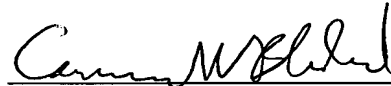
For claims 12-14, Applicants amend claim 12 to include the limitations of claim 13, cancels claim 13, and amends claim 14 to depend from claim 12. In conjunction with this amendment, Applicants submit that the prior art does not teach or suggest the limitations of original claim 13. Recited in claim 13 is a process 5 which, based on the evaluation results of process 4 (evaluating environmental effects due to discharging chemical substances in set release amounts), evaluates the equipments that reduce the chemical substances which are released. The Examiner admits that Frankland does not disclose this feature of the claim, but asserts that paragraph [0044] of Fasca discloses it. Applicants respectfully disagree. Paragraph [0044] describes ways of reducing emission of pollutants, including installing Selective Catalytic Reduction (SCR) equipment, but it does not describe a process which evaluates the equipments that reduce the chemical substances which are released. Therefore, claims 12 and 14 are also patentable over the prior art.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 056204.50780US).

Respectfully submitted,

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Jeffrey D. Sanok
Registration No. 32,169
Cameron W. Beddard
Registration No. 46,545

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JDS:CWB:vlc
#384461